IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

WEDNESDAY, THE TWENTY SECOND DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE M.NARAYANA REDDY

WRIT APPEAL NO : 2075 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 28/09/2004 in W.V.M.P NO. 2363 of 2004 and W.P.M.P NO. 16490 of 2004 in WP NO : 12919 OF 2004 on the file of the High Court.)

Between:

M.Vykunta Lakshmi Narayana, S/o.Late Gopaiah,
S.F.6,Geetanjali Apartments, Tickle Road,
Vijayawada, Krishna Dist.

..... APPELLANT

AND

1 Koduru Chidambara Rao, S/o. Late Radha Krishnaiah,
R/o.Kolavennu Village, Kankipadu (M),
Krishna Dist.

2 A.Srilakshmi, w/o.Srinivas Chandra,
R/o.Kolavennu Village, Kankipadu (M),
Krishna Dist.

3 K.Sushma Chandra, D/o.K.S.C.Shekara Rao,
R/o.Kolavennu Village, Kankipadu (M),
Krishna Dist.

4 K.Sai Praneetha, D/o. K.S.C.Shekara Rao,
R/o.Kolavennu Village, Kankipadu (M),

Krishna Dist.

5 The District Collector,
Machilipatnam, Krishna Dist.

6 The Divisional Panchayat Officer, Vijayawada,
Krishna Dist.

7 The Sarpanch, Kolavennu Grampanchayat,
Kolavennu Village, Kankipadu (M),
Krishna Dist.

(The respondent NO.s5 & 7 are not necessary parties to this Writ Appeal)

.....RESPONDENTS

For the Appellant: MR. ANGURU.NARAYANA RAO, Advocate.

For Respondent Nos. 1, 2, 3 and 4: Mr. C. Ramachandra Raju, Advocate.

For Respondent No.6: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court made the following Judgment: (per Sri B. Sudershan Reddy, J)

This Court in exercise of its letters patent jurisdiction normally does not interfere with such interlocutory order as the one passed by the learned single Judge, which is under appeal before us. The order does not suffer from any legal infirmities requiring our interference. The learned Judge having taken balance of convenience factor into consideration came to the right conclusion to make the interim order granted by this Court absolute and directed the writ petition to be heard finally. It is brought to our notice that the writ petition is already listed for hearing before the learned single Judge.

In such view of the matter, we are not inclined to interfere with the interlocutory order passed by the learned single Judge.

The Writ Appeal fails and shall accordingly stand dismissed.

(B. Sudershan Reddy, J)

22-12-2004

(M. Narayana Reddy, J)

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To

1 The District Collector,
Machilipatnam, Krishna Dist.

2 The Divisional Panchayat Officer, Vijayawada,
Krishna Dist.

3 The Sarpanch, Kolavennu Grampanchayat,
Kolavennu Village, Kankipadu (M),
Krishna Dist.

4 Two CCs to the Government Pleader for Panchayat Raj and

Rural Development, High Court of Andhra Pradesh, Hyderabad

(OUT).

5 Two CD copies.